

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

BOBBY LEE BROWN,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

CIVIL ACTION FILE
NO. 1:09-CV-2770-TWT

ORDER

This is a pro se habeas corpus action by a federal prisoner. It is before the Court on the Report and Recommendation [Doc. 18] of the Magistrate Judge recommending dismissing the Petition. For the reasons set forth in the Report and Recommendation, the Petitioner cannot use 28 U. S. C. § 2241 to challenge sentencing enhancements. In order to challenge the sentencing enhancement in a successive motion under 28 U. S. C. § 2255, he must obtain permission from the Court of Appeals. The Court approves and adopts the Report and Recommendation as the judgment of the Court. This action is DISMISSED.

SO ORDERED, this 23 day of July, 2010.

/s/Thomas W. Thrash
THOMAS W. THRASH, JR.
United States District Judge